

United States District Court
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

DON BROWN, RONALD HENRY,
and JOHN HUDSPETH, on behalf of
themselves, all others similarly situated,
and the general public,

No. C 08-05446 WHA

Plaintiffs,

v.

GEORGE S. MAY INTERNATIONAL
COMPANY, and DOES 1–10, inclusive,


Defendants.

**ORDER GRANTING MOTION
TO REMAND; DENYING AS
MOOT MOTION TO APPOINT
CLASS COUNSEL; AND
VACATING HEARING**

Plaintiffs have filed a motion to remand this case to state court and a separate motion requesting that, if the remand motion is denied, two law firms be appointed interim class counsel (Dkt. Nos. 20, 24). Defendant does not oppose the remand motion. Defendant indicates that, based on admissions of plaintiffs’ counsel *after* the case was removed, this action does not satisfy the amount in controversy requirement (Dkt. No. 30). Plaintiffs’ motion to remand is therefore **GRANTED** as unopposed. Plaintiffs motion to appoint interim class counsel is **DENIED** as moot. The hearing on the motions scheduled for April 30, 2009, is hereby **VACATED**.

IT IS SO ORDERED.

Dated: April 23, 2009.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE